

**MINUTES FOR THE COURT OF APPEAL  
STATE OF CALIFORNIA  
SECOND APPELLATE DISTRICT**

**September 25, 2007**

**DIVISION TWO**

Court convened at 9:00 a.m.

Present: Boren, P.J., Doi Todd, J., Ashmann-Gerst, J., Chavez, J. and Joyce Hatter,  
Deputy Clerk.

Each of the following:

B192614 People v. Chandler  
B196192 People v. MacIntosh  
B196711 DCFS v. Any C.  
B193904 People v. Adrian M.  
B195241 Badel v. City of Long Beach  
B193551 People v. Ehlers

Argument waived, cause submitted.

B195334     People  
              v.  
              Foreman

Merits:

Argued by Carol Boyk for appellant and by Marc Kohm, Deputy Attorney  
General for respondent. Cause submitted.

DIVISION TWO (continued)

B193936 Brynes

v.

Junior's Restaurant Inc., et al.

Merits:

Argued by Craig Byrnes appellant in propria persona and no appearance by respondent. Cause submitted.

B189853 Cortez

v.

Inclendon

Merits:

Argued by Lynne Rasmussen for appellant and by John Faith for respondent. Cause submitted.

Court adjourned.

DIVISION FOUR

B192832 Buckland (Certified for Publication)

v.

Threshold Enterprises, LTD. et al.

The order denying injunctive relief and judgment of dismissal are affirmed.

Manella, J.

We concur: Willhite, Acting P.J.  
Suzukawa, J.

## DIVISION FOUR (continued)

B195227      Dilbeck      (Not for Publication)

V.

Van Schaick

The order denying the special motion to strike is affirmed.

Manella, J.

We concur: Epstein, P.J.

Willhite, J.

B178340      Stephen Slesinger, Inc.      (Certified for Publication)

V.

# The Walt Disney Company

The judgment (order of dismissal with prejudice) is affirmed. Disney is awarded its costs on appeal.

Willhite, Acting P.J.

We concur: Manella, J.

Suzukawa, J.

B174486 People (Not for Publication)

V.

Hernandez

The judgment is affirmed.

Manella, J.

We concur: Epstein, P.J.

Suzukawa, J.

DIVISION FIVE

B192064 People (Not for Publication)

V.

Andrew Arrue

The judgment is affirmed as modified to impose the stat court construction penalty and court security fees as noted. The trial court is to personally insure a correct abstract of judgment is prepared and forwarded to the Department of Corrections and Rehabilitation.

Turner, P.J.

We concur:    Armstrong, J.

Kriegler, J.

B192189 Juana Vasquez et al. (Not for Publication)

V.

County of Los Angeles

The judgment is affirmed. Respondent(s) to recover costs.

Kriegler, J.

We concur:   Turner, P.J.

Kriegler, J.

B192869 Jodu Betsuin (Not for Publication)

V.

Jodoshu North American Buddhist Missions et al.,

The judgment is reversed. Appellant(s) to recover costs.

Turner, P.J.

I concur: Armstrong, J.

I concur and dissent: Mosk, J. (opinion)

## DIVISION FIVE (continued)

B188456 People (Not for Publication)

V.

Daryl Anderson

The judgment of conviction is affirmed. The great bodily injury enhancement (12022.7 subd. (a)) imposed on count 2 is reversed, and the trial court is instructed upon remand to enter an order striking the enhancement. The sentences as to counts 1 and 9 are reversed. Upon issuance of the remittitur, the trial court is to exercise its discretion to impose concurrent or consecutive sentences on counts 1 and 9, as discussed in the body of this opinion, provided that no sentence greater than 44 years to life results. After the resentencing, an amended abstract of judgment is to be prepared and forwarded to the Department of Corrections and Rehabilitation. The abstract of judgment shall be accurate and correct, as specified in this opinion. The judgment is affirmed in all other respects.

Mosk, J.

We concur:   Turner, P.J.  
                      Armstrong, J.

B190445 People (Not for Publication)

V

Mitchell &amp; Jordan

The judgment is affirmed.

Mosk, J.

We concur:   Turner, P.J.  
                      Armstrong, J.

September 25, 2007 (Continued)

## DIVISION FIVE (continued)

B192569 People (Not for Publication)

V.

Brandon Sterling Wilson

The judgment is affirmed.

Mosk, J.

We concur:   Armstrong, Acting P.J.  
                    Kriegler, J.

B194307      Suzan Hughes

V.

Christopher Pair

Filed order denying petition for rehearing. Justice Armstrong would grant rehearing.

DIVISION SIX

B189116 Santa Clarita Organization for (Certified for Publication)

Planning the Environment et al.,

V.

County of Los Angeles

Newhall Land and Farming Company et al.,

The judgment is affirmed. Costs on appeal are awarded to respondents and real parties in interest.

Gilbert, P.J.

We concur: Coffee, J.  
Perren, J.

DIVISION SIX (continued)

B200050      Louise B.      (Not for Publication)

v.  
San Luis Obispo Superior Court  
(Dept. of Social Services, r.p.i.)

The petition is denied.

Coffee, J.

We concur:   Gilbert, P.J.  
                     Yegan, J.

B195378      People      (Not for Publication)

v.  
Swearingen

The judgment is reversed. On remand, the trial court shall enter an order granting appellant's motion to suppress.

Perren, J.

We concur:   Gilbert, P.J.  
                     Coffee, J.

DIVISION SEVEN

B195007      Los Angeles County, D.C.S.      (Not for Publication)

v.  
Rosalba M.,

The judgment is affirmed.

Zelon, J.

We concur:   Perluss, P.J.  
                     Johnson, J.

## DIVISION SEVEN (continued)

B192620      People                          (Not for Publication)  
v.  
King

The convictions are affirmed. The matter is remanded for the purpose of imposing an additional five-year sentence enhancement under section 667, subdivision (a)(1).

Zelon, J.

We concur:   Johnson, Acting P.J.  
                      Woods, J.

B189371      Shaffer      (Not for Publication)  
v.  
Wallace

The judgment is reversed to the extent it fails to apportion expert witness fees, and the cause is remanded for further proceedings not inconsistent with this opinion. In all other respects the judgment is affirmed. Each party is to bear his own costs on appeal.

Perluss, P.J.

We concur:   Johnson, J.  
                          Woods, J.

B192343      Co. of Los Angeles      (Not for Publication)  
v.  
Grinter

The appeal is dismissed. County of Los Angeles Child Support Services Department is to recover its costs on appeal.

Perluss, P.J.

We concur:   Johnson, J.  
                      Woods, J.



DIVISION SEVEN (continued)

B194095      Los Angeles County, D.C.S.      (Not for Publication)  
v.  
Alfonso S.,

The juvenile court's order sustaining the section 342 petition is reversed and its order removing Amaya from Alfonso S.'s custody is vacated as moot. The matter is remanded to the juvenile court for further proceedings not inconsistent with this opinion.

Perluss, P.J.

We concur:   Johnson, J.  
                    Zelon, J.

DIVISION EIGHT

B187270      Camino Real Collision Center      (Not for Publication)  
v.  
Boltek International, Inc., et al.,

The judgment is affirmed. Each side to bear its own costs on appeal.

Rubin, J.

We concur:   Cooper, P.J.  
                    Flier, J.

September 25, 2007 (Continued)

## DIVISION EIGHT (continued)

B191927      People                          (Not for Publication)  
v.  
Schacknies

---

The section 1203.097 fine is reversed. In all other respects, the judgment is affirmed. The trial court is directed to prepare a new abstract of judgment identifying that the enhancement in count 6 is stayed and forward the abstract of judgment to the appropriate prison authorities.

Cooper, P.J.

We concur: Rubin, J.  
Flier, J.